



# LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

2020–2021–2022–2023

## MINUTES OF PROCEEDINGS

No 99

WEDNESDAY, 20 SEPTEMBER 2023

- 1 The Assembly met at 10 am, pursuant to adjournment. The Speaker (Ms Burch) took the Chair and made the following acknowledgement of country in the Ngunnawal language:

Dhawura nguna, dhawura Ngunnawal.

Yanggu ngalawiri, dhunimanyin Ngunnawalwari dhawurawari.

Nginggada Dindi dhawura Ngunnaawalbun yindjumaralidjinyin.

*This is Ngunnawal Country.*

*Today we are gathering on Ngunnawal country.*

*We always pay respect to Elders, female and male, and Ngunnawal country.*

The Speaker asked Members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

### 2 LEAVE OF ABSENCE TO MEMBER

Mr Braddock moved—That leave of absence be granted to Ms Clay for this sitting due to personal reasons.

Question—put and passed.

### 3 A.C.T. ABORIGINAL AND TORRES STRAIT ISLANDER AGREEMENT 2019-2028 AND NATIONAL AGREEMENT ON CLOSING THE GAP 2020—ANNUAL REPORT AND IMPACT STATEMENT 2023—MINISTERIAL STATEMENT AND PAPER—PAPER NOTED

Ms Stephen-Smith (Minister for Aboriginal and Torres Strait Islander Affairs) made a ministerial statement concerning the ACT's 2023 Annual Report on the National Agreement on Closing the Gap 2020 and 2023 impact statement on progress under the Aboriginal and Torres Strait Islander Agreement 2019-2028, and presented the following papers:

National Agreement on Closing the Gap—Annual Report 2023, dated September 2023, including ACT Annual Impact Statement 2023.

ACT Aboriginal and Torres Strait Islander Agreement 2019-2028 and National Agreement on Closing the Gap 2020—Annual Report and Impact Statement 2023—Ministerial statement, 20 September 2023.

Ms Stephen-Smith moved—That the Assembly take note of the ministerial statement.

Question—put and passed.

#### **4 A.C.T. CHILDREN AND YOUNG PEOPLE’S COMMITMENT 2015-2025—PROGRESS UPDATE—MINISTERIAL STATEMENT—PAPER NOTED**

Ms Stephen-Smith (Minister for Families and Community Services) made a ministerial statement concerning the progress update on the ACT Children and Young People’s Commitment 2015-2025 and presented the following paper:

ACT Children and Young People’s Commitment 2015-2025—Progress update—Ministerial statement, 20 September 2023.

Ms Stephen-Smith moved—That the Assembly take note of the paper.

Question—put and passed.

#### **5 REVENUE LEGISLATION AMENDMENT BILL 2023**

Mr Barr (Treasurer), pursuant to notice, presented a Bill for an Act to amend legislation about revenue collection, and for other purposes.

*Paper:* Mr Barr presented the following paper:

Explanatory statement to the Bill, incorporating a compatibility statement, pursuant to section 37 of the *Human Rights Act 2004*.

Title read by Clerk.

Mr Barr moved—That this Bill be agreed to in principle.

Debate adjourned (Mr Cain) and the resumption of the debate made an order of the day for the next sitting.

#### **6 BIRTHS, DEATHS AND MARRIAGES REGISTRATION AMENDMENT BILL 2023**

Ms Cheyne (Minister for Human Rights), pursuant to notice, presented a Bill for an Act to amend the *Births, Deaths and Marriages Registration Act 1997* and the Births, Deaths and Marriages Registration Regulation 1998.

*Paper:* Ms Cheyne presented the following paper:

Explanatory statement to the Bill, incorporating a compatibility statement, pursuant to section 37 of the *Human Rights Act 2004*.

Title read by Clerk.

Ms Cheyne moved—That this Bill be agreed to in principle.

Debate adjourned (Mr Cocks) and the resumption of the debate made an order of the day for the next sitting.

## 7 HUMAN RIGHTS (COMPLAINTS) LEGISLATION AMENDMENT BILL 2023

Ms Cheyne (Minister for Human Rights), pursuant to notice, presented a Bill for an Act to amend the *Human Rights Act 2004* and the *Human Rights Commission Act 2005*.

*Paper:* Ms Cheyne presented the following paper:

Explanatory statement to the Bill, incorporating a compatibility statement, pursuant to section 37 of the *Human Rights Act 2004*.

Title read by Clerk.

Ms Cheyne moved—That this Bill be agreed to in principle.

Debate adjourned (Mr Cain) and the resumption of the debate made an order of the day for the next sitting.

## 8 TERRITORY RIGHTS—SUPPORT

Mr Barr (Chief Minister), pursuant to notice, moved—That this Assembly:

- (1) notes that:
  - (a) the *Australian Capital Territory (Self-Government) Act 1988* functions as the ACT's constitution as it sets out many of the arrangements that determine how its system of government operates;
  - (b) the Federal Liberal and National parties have a history of seeking to unilaterally intervene in the democratically elected ACT Legislative Assembly's decision making processes;
  - (c) this Assembly passed a remonstrance motion on 13 September 2018 regarding the Commonwealth Parliament's failure to restore Territory rights;
  - (d) the *Restoring Territory Rights Act 2022* (Cth) restored the rights of the peoples of the Northern Territory and ACT to make laws regarding voluntary assisted dying through their democratically elected representatives, overturning the Howard Liberal Government stripping rights from Canberrans in 1997;
  - (e) the Queensland Liberal-National Senator, the Hon Matthew Canavan, introduced the Australian Capital Territory (Self-Government) Amendment Bill 2023, publicly supported by the Acting Leader of the Canberra Liberals, which was described by the relevant Senate Committee as an "unwelcome interference on the part of the Commonwealth Parliament in the proper functioning of the Australian Capital Territory Legislative Assembly". Senator Canavan's bill was defeated on 13 September 2023; and
  - (f) the Western Australian Liberal Senator, the Hon Michaelia Cash, introduced with the public support of the Leader of the Liberal Party, the Hon Peter Dutton MP, the Australian Capital Territory Dangerous Drugs Bill 2023 on 14 September 2023 to again seek to undermine the proper functioning of the ACT Legislative Assembly;

- (2) calls on all Members of the ACT Legislative Assembly to sign a letter, addressed to the President of the Senate of the Australian Parliament and the Speaker of the House of Representatives, reaffirming all Members of the ACT Legislative Assembly's support for Territory rights and concern about the repeated attempts to undermine the proper functioning of the ACT's Legislative Assembly, before the Assembly rises today, a copy of which will be tabled; and
- (3) requests that the Speaker transmit the letter as soon as practicable following adjournment today.

Ms Lee (Leader of the Opposition) moved the following amendment: Omit all text after paragraph (1)(a), substitute:

- “(b) that all Members of the ACT Legislative Assembly support the right of the ACT Legislative Assembly to make and pass its own laws; and
- (c) the tri-partisan support in the ACT Legislative Assembly for Territory rights.”.

Debate continued.

Mr Barr (Chief Minister) moved the following amendments to Ms Lee's proposed amendment:

1. Delete omit all text after paragraph (1)(a).
2. Insert new paragraph after paragraph (1)(a):
  - “(b) that all Members of the ACT Legislative Assembly support the right of the ACT Legislative Assembly to make and pass its own laws; and
  - (c) the tri-partisan support in the ACT Legislative Assembly for Territory rights.”.
3. Renumber accordingly.

Debate continued.

*Paper:* Ms Cheyne (Minister for Human Rights) presented the following paper:

Territory Rights—Voluntary assisted dying in the ACT—Copy of letter to all Members and Senators of the Parliament of Australia from Tara Cheyne MLA, Shane Rattenbury MLA and Elizabeth Lee MLA, dated 30 March 2021.

Debate continued.

Debate adjourned (Ms Orr) and the resumption of the debate made an order of the day for a later hour this day.

## 9 QUESTIONS

Questions without notice were asked.

## 10 LIGHT RAIL STAGES 2A AND 2B—PROGRESS REVIEW

Mr Parton, pursuant to notice, moved—That this Assembly:

- (1) notes that:
  - (a) in relation to Light Rail Stage 2A, in a promotional report prefaced by Minister Steel in September 2019, it was stated that City to Commonwealth Park operations would commence in 2024. This was also reiterated in the preliminary Stage 2A Business Case;

- (b) Minister Steel has continued to state that Stage 2A will be completed in 2026, and quite at odds with the advice his Government gave the National Capital Authority (NCA);
  - (c) in evidence submitted to the Standing Committee on Public Works, the NCA indicated that the ACT Government advised Stage 2A construction would be completed by 2027-2028; and
  - (d) the substantial slippages in the Stage 2A completion date and expected date of operations cast significant doubt over its cost stability and the likely commencement of the Stage 2B project;
- (2) further notes that:
- (a) in relation to Light Rail Stage 2B, the NCA Chief Executive expressed concerns about the feasibility of the Government's preferred route to Woden, stating on ABC Radio that it may be "technically challenging" for it to make the transition from Commonwealth Avenue onto State Circle;
  - (b) Light Rail Stage 2B involves a complex approval and Commonwealth Parliament scrutiny process due to its passage into the parliamentary precinct;
  - (c) the route through the parliamentary precinct is riddled with technical and other complexities, including protection of heritage values;
  - (d) the ACT Government has refused to rule out reverting back to the Barton dogleg route which significantly increases tram travel times to and from Woden;
  - (e) in December 2022, the NCA said that they do not expect a Stage 2B works approval application from the ACT Government for many years;
  - (f) the engineering risks and route challenges could substantially add to the undisclosed total cost of Stage 2B;
  - (g) the uncertainties and mounting risks are eroding the Canberra public's confidence in the viability of this massive undertaking; and
  - (h) the ACT Government should acknowledge the scale and complexity of Stage 2B is pushing the limits of the public's confidence and tolerance; and
- (3) calls on the ACT Government to:
- (a) not proceed with construction contracts for Stage 2B until firm completion and operational dates are clarified for Stage 2A;
  - (b) commission an independent review of the viability of proceeding with Stage 2B including the merit of other public transport options before construction tenders are called for that stage;
  - (c) report back to this Assembly on the findings of the independent review; and
  - (d) report back to this Assembly on a comprehensive business case including an approved route solution and total costs that must be covered by Canberra's community.

Mr Steel (Minister for Transport and City Services) moved the following amendment:  
Omit all text after paragraph (1)(a), substitute:

- “(b) Minister Steel has continued to state that the timeline for services commencing on Light Rail Stage 2a (LRS2a) will be determined through the procurement, including during 2023-2024 Estimates Hearings;
  - (c) On 24 November 2022, Minister Steel amended Mr Parton’s motion to note “The specific delivery timeframe for LRS2a commencing operations is subject to receiving Works Approval from the National Capital Authority, signing a contract with the ACT Government’s delivery partner, and finalising an agreed construction program”;
  - (d) Minister Steel’s amendment to Mr Parton’s motion on the 24 November 2022 (referenced above) included forecasted milestones for LRS2a, which the ACT Government has achieved to date:
    - (i) Works Approval and Development Application for LRS2a were submitted in December 2022;
    - (ii) contract negotiations for the delivery of LRS2a Main Works commenced in early 2023;
    - (iii) approvals for the LRS2a Works Approval and Development Application were received in July 2023; and
    - (iv) construction of the depot expansion commenced in August 2023;
  - (e) The LRS2a Works Approval, which the ACT Government submitted to the National Capital Authority in December 2022, stated “construction of the Project is anticipated to commence in 2024, with completion planned in 2026”;
  - (f) The ACT Government has invested \$50 million in the 2023-2024 ACT Budget to progress planning work for Light Rail Stage 2b (LRS2b), which will progress a comprehensive assessment of environmental and heritage impacts through the delivery of an Environmental Impact Statement; and
  - (g) The ACT Government has committed to publish assessments of the realisation of benefits of LRS2a and LRS2b following the completion and after operations commence on each stage; and
- (2) calls on the ACT Government to:
- (a) continue undertaking contract negotiations for delivery of LRS2a in 2023;
  - (b) publish estimated costs and timings for LRS2a and LRS2b once contracts are signed and the procurement is finalised to ensure the Territory is in the best position to achieve value for money; and
  - (c) continue to release business cases and contracts for future stages of light rail.”.

Debate continued.

Question—That the amendment be agreed to—put.

The Assembly voted—

AYES, 15		NOES, 8
Mr Barr	Ms Orr	Mr Cain
Ms Berry	Dr Paterson	Ms Castley
Mr Braddock	Mr Pettersson	Mr Cocks
Ms Burch	Mr Rattenbury	Mr Hanson
Ms Cheyne	Mr Steel	Mrs Kikkert
Ms Davidson	Ms Stephen-Smith	Ms Lawder
Mr Davis	Ms Vassarotti	Mr Milligan
Mr Gentleman		Mr Parton

And so it was resolved in the affirmative.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes that:
  - (a) in relation to Light Rail Stage 2A, in a promotional report prefaced by Minister Steel in September 2019, it was stated that City to Commonwealth Park operations would commence in 2024. This was also reiterated in the preliminary Stage 2A Business Case;
  - (b) Minister Steel has continued to state that the timeline for services commencing on Light Rail Stage 2a (LRS2a) will be determined through the procurement, including during 2023-2024 Estimates Hearings;
  - (c) On 24 November 2022, Minister Steel amended Mr Parton’s motion to note “The specific delivery timeframe for LRS2a commencing operations is subject to receiving Works Approval from the National Capital Authority, signing a contract with the ACT Government’s delivery partner, and finalising an agreed construction program”;
  - (d) Minister Steel’s amendment to Mr Parton’s motion on the 24 November 2022 (referenced above) included forecasted milestones for LRS2a, which the ACT Government has achieved to date:
    - (i) Works Approval and Development Application for LRS2a were submitted in December 2022;
    - (ii) contract negotiations for the delivery of LRS2a Main Works commenced in early 2023;
    - (iii) approvals for the LRS2a Works Approval and Development Application were received in July 2023; and
    - (iv) construction of the depot expansion commenced in August 2023;
  - (e) The LRS2a Works Approval, which the ACT Government submitted to the National Capital Authority in December 2022, stated “construction of the Project is anticipated to commence in 2024, with completion planned in 2026”;

- (f) The ACT Government has invested \$50 million in the 2023-2024 ACT Budget to progress planning work for Light Rail Stage 2b (LRS2b), which will progress a comprehensive assessment of environmental and heritage impacts through the delivery of an Environmental Impact Statement; and
  - (g) The ACT Government has committed to publish assessments of the realisation of benefits of Light Rail Stage 2A and Light Rail Stage 2B following the completion and after operations commence on each stage; and
- (2) calls on the ACT Government to:
- (a) continue undertaking contract negotiations for delivery of LRS2a in 2023;
  - (b) publish estimated costs and timings for LRS2a and LRS2b once contracts are signed and the procurement is finalised to ensure the Territory is in the best position to achieve value for money; and
  - (c) continue to release business cases and contracts for future stages of light rail.”—

be agreed to—put and passed.

## **11 INDOOR VENUE FOR MULTICULTURAL USE AT EPIC**

Mr Cain, pursuant to notice, moved—That this Assembly:

- (1) notes:
- (a) during the 2020 ACT election, ACT Labor committed “to create hundreds of new local jobs by investing \$21 million to build a new 10,000m<sup>2</sup> indoor venue at Exhibition Park In Canberra (EPIC)” if re-elected;
  - (b) ACT Labor publicly promoted the commitment as “the first, purpose-built facility in Canberra that can cater for large multicultural performances and private events such as weddings.”; and
  - (c) ACT Labor and ACT Greens included this commitment in the Parliamentary and Governing Agreement for the 10<sup>th</sup> Assembly on multiple occasions:
    - (i) commitment 15.2 under Community Facilities to “[c]onstruct a large new multicultural events venue at EPIC for cultural performances and available for hire for large private functions, such as weddings.”; and
    - (ii) commitment 18.3 under Multicultural Affairs is “constructing a large indoor venue at EPIC for cultural performances and large events such as weddings.”;
- (2) further notes the:
- (a) Minister for Multicultural Affairs advised the Select Committee on Estimates 2023-2024 that the proposed refurbishment of Fitzroy Pavilion at EPIC would sufficiently fulfill ACT Labor’s commitment at the 2020 ACT election for an exclusive multicultural venue in EPIC; and
  - (b) the cost of refurbishment of Fitzroy Pavilion has not been disclosed to the public as this is in the pre-tender stage; and



- (3) calls on the ACT Government to:
- (a) honour the terms of commitment 15.2 and commitment 18.3 of the Parliamentary and Governing Agreement for the 10<sup>th</sup> Assembly by constructing a new purpose-built indoor venue for multicultural use at EPIC;
  - (b) meet with the Multicultural Advisory Board within 30 days of the passing of this motion to provide an update on the project; and
  - (c) expedite project planning work and tender procurement to ensure a timeframe on delivery will be available by 31 December 2023.

Mr Barr (Chief Minister) moved the following amendment: Omit all text after “That this Assembly”, substitute:

- (1) notes:
- (a) during the 2020 ACT election, ACT Labor committed “to create hundreds of new local jobs by investing \$21 million to build a new 10,000m<sup>2</sup> indoor venue at Exhibition Park In Canberra (EPIC)” if re-elected;
  - (b) the significant pipeline of event infrastructure investment, as outlined in the Entertainment, Arts and Sports update to the Infrastructure Plan that was released in June 2023, including confirmation of master planning work for EPIC so it is able to host larger and more diverse exhibitions, concerts, conferences and a range of multicultural and community events, along with a revitalised festival precinct; and
  - (c) as an important step to improve venue spaces for the multicultural community in line with relevant election and Parliamentary and Governing Agreement commitments, in the 2023-2024 Budget the ACT Government has invested in substantially upgrading and refurbishing the Fitzroy Pavilion at EPIC:
    - (i) this Fitzroy Pavilion upgrade is expected to be complete in this term of Government, ensuring the multicultural and wider community have a great venue available quickly, while wider EPIC facilities works are under planning and development;
    - (ii) this upgrade will include new catering facilities and amenities, agreed in consultation with multicultural group users; and
    - (iii) through these major upgrades, the facility will be a suitable and desirable venue for a range of multicultural events for up to 1,000 guests seated in banquet configuration, or up to 1,500 standing guests;
- (2) further notes:
- (a) the Minister for Multicultural Affairs advised the Select Committee on Estimates 2023-2024 that a refurbished Fitzroy Pavilion will provide upgraded catering facilities and amenities and be suitable for hosting larger-scale community and multicultural events, as reflected in the Parliamentary and Governing Agreement;
  - (b) the cost of refurbishment of Fitzroy Pavilion has not been disclosed to the public as this is in the pre-tender stage; and

- (c) the ACT Government continues to support community groups, including multicultural groups, in their use of government-owned community halls and centres by offering hire at a community rate; and
- (3) calls on the ACT Government to continue:
  - (a) to support the multicultural community by ensuring there are suitable venues available for hire for a range of event uses; and
  - (b) consulting with the multicultural community, including through the Ministerial Advisory Council for Multiculturalism, as these projects progress.”.

Debate continued.

Question—That the amendment be agreed to—put.

The Assembly voted—

AYES, 14		NOES, 7
Mr Barr	Dr Paterson	Mr Cain
Ms Berry	Mr Pettersson	Ms Castley
Mr Braddock	Mr Rattenbury	Mr Cocks
Ms Cheyne	Mr Steel	Mr Hanson
Ms Davidson	Ms Stephen-Smith	Mrs Kikkert
Mr Davis	Ms Vassarotti	Mr Milligan
Mr Gentleman		Mr Parton
Ms Orr		

And so it was resolved in the affirmative.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes:
  - (a) during the 2020 ACT election, ACT Labor committed “to create hundreds of new local jobs by investing \$21 million to build a new 10,000m<sup>2</sup> indoor venue at Exhibition Park In Canberra (EPIC)” if re-elected;
  - (b) the significant pipeline of event infrastructure investment, as outlined in the Entertainment, Arts and Sports update to the Infrastructure Plan that was released in June 2023, including confirmation of master planning work for EPIC so it is able to host larger and more diverse exhibitions, concerts, conferences and a range of multicultural and community events, along with a revitalised festival precinct; and
  - (c) as an important step to improve venue spaces for the multicultural community in line with relevant election and Parliamentary and Governing Agreement commitments, in the 2023-2024 Budget the ACT Government has invested in substantially upgrading and refurbishing the Fitzroy Pavilion at EPIC:
    - (i) this Fitzroy Pavilion upgrade is expected to be complete in this term of Government, ensuring the multicultural and wider community have a great venue available quickly, while wider EPIC facilities works are under planning and development;

- (ii) this upgrade will include new catering facilities and amenities, agreed in consultation with multicultural group users; and
  - (iii) through these major upgrades, the facility will be a suitable and desirable venue for a range of multicultural events for up to 1,000 guests seated in banquet configuration, or up to 1,500 standing guests;
- (2) further notes:
  - (a) the Minister for Multicultural Affairs advised the Select Committee on Estimates 2023-2024 that a refurbished Fitzroy Pavilion will provide upgraded catering facilities and amenities and be suitable for hosting larger-scale community and multicultural events, as reflected in the Parliamentary and Governing Agreement;
  - (b) the cost of refurbishment of Fitzroy Pavilion has not been disclosed to the public as this is in the pre-tender stage; and
  - (c) the ACT Government continues to support community groups, including multicultural groups, in their use of government-owned community halls and centres by offering hire at a community rate; and
- (3) calls on the ACT Government to continue:
  - (a) to support the multicultural community by ensuring there are suitable venues available for hire for a range of event uses; and
  - (b) consulting with the multicultural community, including through the Ministerial Advisory Council for Multiculturalism, as these projects progress.”—

be agreed to—put and passed.

## 12 TERRITORY RIGHTS—SUPPORT

The order of the day having been read for the resumption of the debate on the motion of Mr Barr (Chief Minister) and on the amendments moved by Ms Lee (Leader of the Opposition) and Mr Barr (Chief Minister) (*see entry 8*)—

Debate resumed.

Ms Lee moved the following amendments to Mr Barr’s proposed amendments to Ms Lee’s proposed amendment:

1. Omit “and renumber accordingly”.
2. Add after paragraph (3): “and calls on the Speaker of the ACT Legislative Assembly to relay to the President of the Senate and the Speaker of the House of Representatives the ACT Legislative Assembly’s support for Territory rights.”.

Debate continued.

Ordered—That the question be divided.

Question proposed—That Ms Lee’s amendment No 1 be agreed to.

Mr Parton addressing the Assembly—

*Closure moved:* Mr Gentleman (Manager of Government Business) moved—That the question be now put.

*Speaker's ruling:* The Speaker, pursuant to standing order 70, declined to put the question.

Mr Parton continued.

*Closure:* Mr Gentleman (Manager of Government Business) moved—That the question be now put.

Question—That the question be now put—put and passed.

Question—That Ms Lee's amendment No 1 to Mr Barr's proposed amendments to Ms Lee's proposed amendment be agreed to—put.

The Assembly voted—

AYES, 8

Ms Castley  
Mr Cocks  
Mr Hanson  
Mrs Kikkert  
Ms Lawder  
Ms Lee  
Mr Milligan  
Mr Parton

NOES, 15

Mr Barr	Ms Orr
Ms Berry	Dr Paterson
Mr Braddock	Mr Pettersson
Ms Burch	Mr Rattenbury
Ms Cheyne	Mr Steel
Ms Davidson	Ms Stephen-Smith
Mr Davis	Ms Vassarotti
Mr Gentleman	

And so it was negatived.

Debate continued.

Question—That Ms Lee's amendment No 2 to Mr Barr's proposed amendments to Ms Lee's proposed amendment be agreed to be agreed to—put and passed.

Question—That Mr Barr's amendments to Ms Lee's proposed amendment, as amended, be agreed to—put.

The Assembly voted—

AYES, 15

Mr Barr	Ms Orr
Ms Berry	Dr Paterson
Mr Braddock	Mr Pettersson
Ms Burch	Mr Rattenbury
Ms Cheyne	Mr Steel
Ms Davidson	Ms Stephen-Smith
Mr Davis	Ms Vassarotti
Mr Gentleman	

NOES, 8

Ms Castley  
Mr Cocks  
Mr Hanson  
Mrs Kikkert  
Ms Lawder  
Ms Lee  
Mr Milligan  
Mr Parton

And so it was resolved in the affirmative.

Debate continued.

*Speaker's ruling:* The Speaker ruled that she would not put the question on Ms Lee's amendment, as amended, as it was clear that the Assembly supported it.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes that:
  - (a) the *Australian Capital Territory (Self-Government) Act 1988* functions as the ACT's constitution as it sets out many of the arrangements that determine how its system of government operates;
  - (b) that all Members of the ACT Legislative Assembly support the right of the ACT Legislative Assembly to make and pass its own laws;
  - (c) the tri-partisan support in the ACT Legislative Assembly for Territory rights;
  - (d) the Federal Liberal and National parties have a history of seeking to unilaterally intervene in the democratically elected ACT Legislative Assembly's decision making processes;
  - (e) this Assembly passed a remonstrance motion on 13 September 2018 regarding the Commonwealth Parliament's failure to restore Territory rights;
  - (f) the *Restoring Territory Rights Act 2022* (Cth) restored the rights of the peoples of the Northern Territory and ACT to make laws regarding voluntary assisted dying through their democratically elected representatives, overturning the Howard Liberal Government stripping rights from Canberrans in 1997;
  - (g) the Queensland Liberal-National Senator, the Hon Matthew Canavan, introduced the Australian Capital Territory (Self-Government) Amendment Bill 2023, publicly supported by the Acting Leader of the Canberra Liberals, which was described by the relevant Senate Committee as an “unwelcome interference on the part of the Commonwealth Parliament in the proper functioning of the Australian Capital Territory Legislative Assembly”. Senator Canavan's bill was defeated on 13 September 2023; and
  - (h) the Western Australian Liberal Senator, the Hon Michaelia Cash, introduced with the public support of the Leader of the Liberal Party, the Hon Peter Dutton MP, the Australian Capital Territory Dangerous Drugs Bill 2023 on 14 September 2023 to again seek to undermine the proper functioning of the ACT Legislative Assembly;
- (2) calls on all Members of the ACT Legislative Assembly to sign a letter, addressed to the President of the Senate of the Australian Parliament and the Speaker of the House of Representatives, reaffirming all Members of the ACT Legislative Assembly's support for Territory rights and concern about the repeated attempts to undermine the proper functioning of the ACT's Legislative Assembly, before the Assembly rises today, a copy of which will be tabled;
- (3) requests that the Speaker transmit the letter as soon as practicable following adjournment today; and

- (4) calls on the Speaker of the ACT Legislative Assembly to relay to the President of the Senate and the Speaker of the House of Representatives of the ACT Legislative Assembly's support for Territory rights." —

be agreed to—put and passed.

*Paper:* Mr Barr (Chief Minister) presented the following paper:

Territory Rights—Support—Copy of draft letter to the Speaker of the House of Representatives and the President of the Senate, Parliament of Australia signed by Andrew Barr MLA, undated.

### **13 COURTS LEGISLATION AMENDMENT BILL 2023**

The order of the day having been read for the resumption of the debate on the question—That this Bill be agreed to in principle—

Debate resumed.

Question—That this Bill be agreed to in principle—put and passed.

Leave granted to dispense with the detail stage.

Question—That this Bill be agreed to—put and passed.

### **14 CORRECTION OF RECORD—STATEMENT BY MINISTER**

Ms Stephen-Smith (Minister for Health), by leave, made a statement correcting her answer to a question concerning Calvary Hospital on 13 September 2023.

### **15 ADJOURNMENT**

Ms Cheyne (Minister for Human Rights) moved—That the Assembly do now adjourn.

Debate ensued.

Ms Cheyne, by leave, was granted an extension of time.

Debate continued.

Question—put and passed.

And then the Assembly, at 5.28 pm, adjourned until tomorrow at 10 am.

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**MEMBERS' ATTENDANCE:** All Members were present at some time during the sitting, except Ms Clay\*.

\*on leave

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**Tom Duncan**  
Clerk of the Legislative Assembly